

NOTICES OF PUBLIC INFORMATION

Notices of Public Information contain corrections that agencies wish to make to their notices of rulemaking; miscellaneous rulemaking information that does not fit into any other category of notice; and other types of information required by statute to be published in the *Register*. Because of the variety of material that is contained in a Notice of Public Information, the Office of the Secretary of State has not established a specific format for these notices.

NOTICE OF PUBLIC INFORMATION

DEPARTMENT OF ENVIRONMENTAL QUALITY

1. **Authority:** Arizona Laws 2001
Chapter: 357
Section: 14, Public comment on memorandum of agreement with environmental protection agency
2. **The public information relating to the listed Section:**

The Arizona Department of Environmental Quality (Department) is preparing to submit a program package to the United States Environmental Protection Agency - Region 9 (EPA) to operate the National Pollutant Discharge Elimination System program on behalf of EPA. The first step in developing the program submittal package was to revise the Department's statutory authority. Necessary statutory changes were made with the enactment of HB2426 (Laws 2001, Chapter 357) on May 7, 2001 by Governor Jane Dee Hull. In addition to the statutory revisions, the Department must prepare a Memorandum of Agreement (MOA) and develop program rules to implement the Arizona program. The Department is currently developing the rules that will be proposed in the near future.

Section 14 of Law 2001, Chapter 357 requires the Department to:

"provide at least thirty days for receipt of written public comment before submitting to the region 9 office of the United States environmental protection agency the memorandum of agreement that is necessary to obtain approval of the Arizona pollutant discharge elimination system program. The department shall prepare written responses to comments that are received. The governor's regulatory review council shall hold a hearing and accept oral and written comments on the proposed memorandum of agreement before it is submitted to region 9 of the environmental protection agency. The purpose of the hearing is to evaluate whether the memorandum of agreement is consistent with legislative intent and the department of environmental quality's statutory authority and that the department responded to comments."

In order to facilitate the public comment process, the Department has developed a draft of the MOA that it plans to enter into with the EPA at the time of program approval for the Arizona Pollutant Discharge Elimination System program. Interested persons may download a copy of the draft MOA from the Department web site at: www.adeq.state.az.us or may contact the person listed below to obtain a copy. After the comment period ends, the Department will prepare a response to comments and a final MOA and will submit to the Governor's Regulatory Review Council (G.R.R.C.). After receipt of the MOA and response to comments, G.R.R.C. will hold a hearing on the MOA.

3. **The name and address of agency personnel with whom persons may communicate regarding the public information:**

Name: Jane DeRose-Bamman

Address: Arizona Department of Environmental Quality
M0401A
3033 N. Central Avenue
Phoenix, AZ 85012

Telephone: (602) 207-4374 (Metro-Phoenix area) or 1-800-234-5677, ext. 4374 (other areas)

4. **The time during which the agency will accept written comments about the public information and the time and place where oral comments or questions may be made:**

The Department will accept written comments on the proposed MOA through 5:00 p.m. on August 13, 2001. Written comments may be sent to the contact person at the address listed above.